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*Attorneys for Defendant Safeco Insurance
Company of America*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

DESHTINEE EBIYA, a minor, by and
through her Guardian Ad Litem FLORISA
GARCIA,

Plaintiff,

vs.

SAFECO INSURANCE COMPANY OF
ILLINOIS; DOES I-X and ROE C
ORPORATIONS I-X, inclusive,

Defendants.

Case No. 2:15-cv-01923-JCM-VCF

**STIPULATION AND ORDER TO
STAY DISCOVERY**

Whereas Plaintiff Deshtinee Ebiya through her Guardian Ad Litem Florisa Garcia (“Plaintiff”) filed her Complaint [Dkt. No. 1] against Defendant Safeco Insurance Company of Illinois¹ seeking a declaration of rights under Personal Umbrella Policy No. UX6043562 (“Umbrella Policy”) with respect to a motor vehicle accident on November 14, 2013, in which Plaintiff was a passenger in a 2002 Toyota Celica operated by her brother (the “Accident”).

¹ Plaintiff incorrectly identifies Safeco Insurance Company of Illinois as the defendant in this action. However, the proper defendant in this action should actually be Safeco Insurance Company of America as it issued the applicable insurance policy at issue in this litigation.

Whereas real party in interest Safeco Insurance Company of America (“Safeco”) filed a Motion to Dismiss [Dkt. No. 4] in which it argues the family member exclusion in the Umbrella Policy precludes coverage for the Accident.

Whereas a resolution of Safeco’s Motion to Dismiss will likely resolve this matter either in favor of Safeco or in favor of Plaintiff without the need for substantive discovery.

Whereas the Motion to Dismiss is fully briefed and remains pending before the Court.

Whereas Plaintiff and Safeco agree that any further discovery should be stayed pending resolution of the Motion to Dismiss.

Whereas Plaintiff and Safeco further agree to submit a revised discovery plan and proposed scheduling order within 30 days after entry of a decision on the Motion to Dismiss in the event this matter is not resolved.

DATED this 30th day of March 2016

DATED this 30th day of March 2016

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STOVALL & ASSOCIATES

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ORDER

IT HEREBY ORDERED that any further discovery should be stayed pending resolution of the Motion to Dismiss.

IT IS FURTHER ORDERED that the parties shall submit a discovery plan and proposed scheduling order within 30 days after entry of a decision on the Motion to Dismiss in the event this matter is not resolved in its entirety.

DATED this _____ day of March, 2016.

IT IS FURTHER ORDERED that a status hearing is scheduled for 10:00 a.m., October 4, 2016, in courtroom 3D.



U.S. MAGISTRATE JUDGE